

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DEMETRIUS BAILEY,)	
)	
Petitioner,)	Civil Action No. 09-265
)	
v.)	Judge McVerry
)	Magistrate Judge Bissoon
DAVID WAKEFIELD, <i>et al.</i> ,)	
)	
Respondents.)	

MEMORANDUM ORDER

Demetrius Bailey's Petition for Writ of Habeas Corpus was received by the Clerk of Court on February 19, 2009, and was referred to United States Magistrate Judge Cathy Bissoon for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on March 9, 2009, recommended that the Petition for Writ of Habeas Corpus filed by Petitioner Bailey be dismissed and that a certificate of appealability be denied. The parties were allowed ten days from the date of service to file objections. Bailey filed objections on March 17, 2009.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation and the objections thereto, the following order is entered:

AND NOW, this 2nd day of April, 2009,

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus filed by Demetrius Bailey is dismissed, and a certificate of appealability is DENIED.

The Report and Recommendation of Magistrate Judge Bissoon, (Doc. 7), dated March 9, 2009, is adopted as the opinion of the court.

s/Terrence F. McVerry
Terrence F. McVerry
U.S. District Court Judge

cc:
DEMETRIUS BAILEY
CP-7819
SCI Fayette
Box 9999
LaBelle, PA 15450-0999